

SUBSTITUTE ORDINANCE NO. BL2019-1774

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from CS to SP zoning for properties located at 2540 Murfreesboro Pike and Lakevilla Drive (unnumbered), located at the northeast corner of Murfreesboro Pike and Lakevilla Drive (3.06 acres), to permit ~~50~~ up to 45 multi-family residential units and a maximum of 10,000 square feet of commercial use, all of which is described herein (Proposal No. 2019SP-054-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from CS to SP zoning for properties located at 2540 Murfreesboro Pike and Lakevilla Drive (unnumbered), located at the northeast corner of Murfreesboro Pike and Lakevilla Drive (3.06 acres), to permit ~~50~~ up to 45 multi-family residential units and a maximum of 10,000 square feet of commercial use, being Property Parcel Nos. 004, 005, 006 as designated on Map 149-03 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 149 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to up to ~~50~~ 45 multi-family residential units and a maximum of 10,000 square feet of commercial uses as identified on the plan.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

Conditions

1. Revise Note No. 1 "Uses shall be limited to up to 50 multi-family residential units and a maximum of 10,000 square feet of commercial uses as identified on the plan."
2. Sidewalks along Lakevilla Drive shall be built to local street standards. Sidewalks along Murfreesboro Pike shall be built to the Major and Collector Street standards as determined in coordination with Planning and Public Works.
3. Comply with all conditions of Metro Agencies.

4. The height of the mixed use building along Murfreesboro Pike shall be limited to two stories and a maximum height of ~~45~~ 35 feet to the highest point of the roof. Units 1 through 30 shall be limited to a maximum height of 35 feet to the highest point of the roof.
5. Units fronting Lakevilla Drive and Murfreesboro Pike shall contain a pedestrian connection to the required sidewalks.
6. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.
7. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
8. Note 4 of the Architectural Standards shall be revised to read "At least 50% of the building exteriors will be made up of one or a combination of the following materials: Brick, stone, masonry, and/or glazing."
9. The land use table shall be revised to include Short Term Rental Property (STRP) – Owner Occupied as a prohibited use within the SP.
10. This property shall not be eligible for short-term rental property (STRP) permits under Chapter 17.16 of the Metropolitan Code of Laws.

Section 5. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 6. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 7. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations and requirements of the MUN-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 8. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Delishia Porterfield
Member of Council

2019SP-054-001
2540 MURFREESBORO PIKE
Map 149-03-0-E, Parcel(s) 004-006
Subarea 13, Antioch - Priest Lake
District 29 (Porterfield)
Application fee paid by: Michael Dewey

A request to rezone from CS to SP zoning for properties located at 2540 Murfreesboro Pike and Lakevilla Drive (unnumbered), located at the northeast corner of Murfreesboro Pike and Lakevilla Drive (3.06 acres), to permit ~~50~~ up to 45 multi-family residential units and a maximum of 10,000 square feet of commercial use, requested by Dewey Engineering, applicant; Scotland Springs, LLC, owner.

